

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

Clerk, U.S. District Court
District of Montana
Helena Division

EDWARD DUCHENEAUX and MAE
KELLER, as Co-Personal
Representatives of the ESTATE OF
PAUL DUCHENEAUX, DECEASED,

Plaintiffs,

vs.

LOWER YELLOWSTONE RURAL
ELECTRIC ASSOCIATION, INC., a
Montana Corporation d/b/a Lower
Yellowstone Rural Electric
Cooperative, et al.,

Defendants.

CV 19-6-BLG-TJC

ORDER STRIKING FILING

Plaintiff filed a Notice of Intention to Serve Rule 45 Subpoenas Duces Tecum. (Doc. 49.) Upon reviewing the filing, the Court notes that Plaintiff failed to adhere to Local Rule 26.2(a) “Filing Prohibited,” which states:

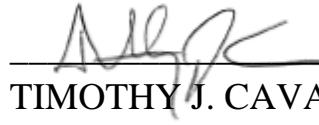
Pursuant to Fed. R. Civ. P. 5(d)(1), initial disclosures under Fed. R. Civ. P. 26(a)(1)(A), depositions, interrogatories, requests for documents, requests for admissions, answers, responses, and objections, expert disclosures, expert reports, notices of deposition, notices of service of subpoena, and certificates or notices indicating service of discovery documents on opposing parties are not routinely filed. (Emphasis added.)

L.R. 26.2(b) excepts subsection (a), but only if a motion is filed relating to discovery. Here, no motion was filed relating to discovery but instead only a notice of intent to serve subpoenas.

Adherence to L.R. 26.2 allows the Court, and often the parties, to handle matters more expeditiously. Compliance with the local rule is required. Accordingly, **IT IS ORDERED** that Plaintiff's Notice of Intention to Serve Rule 45 Subpoenas Duces Tecum (Doc. 49) is rejected and shall be stricken from the record.

IT IS ORDERED.

DATED this 21st day of October, 2019.



TIMOTHY J. CAVAN
United States Magistrate Judge